

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-9. (Canceled).

10. (New) A communication terminal apparatus that multiplexes data of a first channel that is subject to transport format combination selection and data of a second channel that is not subject to said transport format combination selection, said communication terminal apparatus comprising:

a resource allocation section that allocates a resource of said first channel and a resource of said second channel so that the total transmission power of said first channel and said second channel does not exceed the maximum transmission power transmissible by said communication terminal apparatus; and

a transport format combination (TFC) selection section that selects a transport format combination transmissible within a range of the resource of said first channel allocated by said resource allocation section.

11. (New) The apparatus of claim 10, wherein said resource allocation section secures preferentially one of the resource of

said first channel and the resource of said second channel and allocates the other one of the resource of said first channel and the resource of said second channel.

12. (New) The apparatus of claim 10, wherein when there is a plurality of second channels, said resource allocation section first secures a resource for a predetermined one of said second channels and allocates a remaining resource to a channel other than said predetermined one of said second channels.

13. (New) The apparatus of claim 11, wherein when there is a plurality of second channels, said resource allocation section first secures a resource for a predetermined one of said second channels and allocates a remaining resource to a channel other than said predetermined one of said second channels.

14. (New) The apparatus of claim 10, further comprising:
a transmission status monitor section that monitors the presence or absence of information transmitted from said second channel and outputs to said resource allocation section an information amount of the information transmitted from said second channel in the past, wherein:

said resource allocation section allocates the resource of
 said second channel based on said information amount.

15. (New) The apparatus of claim 14, wherein:

 said transmission status monitor section calculates a
 transmission status coefficient, which is a ratio of time in
 which information is transmitted from said second channel with
 respect to a predetermined period, and outputs the transmission
 status coefficient to said resource allocation section; and
 said resource allocation section calculates the resource of
 said second channel by multiplying the transmission power of a
 dedicated control channel by a predetermined offset value and
 said transmission status coefficient.

16. (New) The apparatus of claim 10, wherein said resource
 allocation section allocates the resource of said first channel
 and the resource of said second channel for each transport format
 combination.

17. (New) The apparatus of claim 11, wherein said resource
 allocation section determines which one of the resource of said
 first channel and the resource of said second channel is to be

allocated preferentially according to a kind of information transmitted from said second channel.

18. (New) The apparatus of claim 17, wherein when the information transmitted from said second channel is used in scheduling, said resource allocation section preferentially secures the resource of said first channel.

19. (New) A transmission power control method of a communication terminal apparatus that multiplexes data of a first channel that is subject to transport format combination selection and data of a second channel that is not subject to said transport format combination selection, said transmission power control method comprising:

allocating a resource of said first channel and a resource of said second channel so that the total transmission power of said first channel and said second channel does not exceed the maximum transmission power transmissible by said communication terminal apparatus; and

controlling the transmission power of said first channel and the transmission power of said second channel within a range of the allocated resources.

20. (New) The method of claim 19, wherein the resource allocation comprises securing preferentially one of the resource of said first channel and the resource of said second channel and allocating the other one of the resource of said first channel and the resource of said second channel.

21. (New) The method of claim 19, wherein when there is a plurality of said second channels, the resource allocation comprises first securing a resource for a predetermined one of said second channels and allocating a remaining resource to a channel other than said predetermined one of said second channels.

22. (New) The method of claim 20, wherein when there is a plurality of said second channels, the step of resource allocation comprises first securing a resource for a predetermined one of said second channels and allocating a remaining resource to a channel other than said predetermined one of said second channels.